

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:23cv0108 (LMB/JFA)
)	
GOOGLE LLC,)	
)	
Defendant.)	
_____)	

ORDER

On June 19, 2025, plaintiffs filed a motion for leave to file under seal exhibits 1, 3 and 4 and portions of the reply in support of their motion to enforce the May 30 order and to compel production of defendant's remedy feasibility documents to the European Commission. (Docket no. 1500). In the memorandum in support of the motion to seal, plaintiffs state that the information sought to be sealed is based on defendant designating that information as confidential and that plaintiffs do not believe the information subject to this motion to seal is a type that outweighs the presumption in favor of access. (Docket no. 1501). Defendant has filed a response to the motion to seal. (Docket no. 1509). No other person or entity has filed a response or objection to this motion to seal.

Defendant's response seeks to have the following information that was redacted in plaintiffs' reply remain under seal: page 1 (final two words); page 2 (portions of first two sentences); page 4 (portions of the two lines following 86:2–86:19); page 8 (portions of lines 1, 4–6); page 12 (portions of lines 16–19 and footnotes 7 and 8). Defendant has no objection to the information in the remaining redactions on pages 2 (lines 5–7) and 4 (lines 8–11) being unsealed. Defendant requests that exhibits 1, 3, and 4 to plaintiffs' reply remain under seal. In the

memorandum in support of the motion to seal, defendant states that the information it seeks to have remain under seal contains information protected by the attorney work product doctrine and information containing proprietary and commercially sensitive technical and business information and referencing highly sensitive settlement negotiations.

This motion to seal concerns materials submitted to the court for review on a motion to compel and therefore any information to be filed under seal must satisfy the “common law” standard discussed in *Va. Dep’t of State Police v. Wash. Post*, 386 F.3d 567, 575 (4th Cir. 2004). Having reviewed the information that defendant seeks to remain under seal, the court finds that for **the purposes of this motion**, that information may remain under seal at this time. The court notes that much of the information redacted in the reply and in exhibits 1 and 3 will not remain under seal when the more stringent “First Amendment” standard is applied to this information. For these reasons, it is hereby

ORDERED that the motion to seal is granted in part and denied in part. The court finds that the information that was redacted on pages 1, 2, 4, 8, and 12 described above may remain under seal. Plaintiffs shall file in the public record a version of their reply that includes the information that had previously been redacted on pages 2 (lines 5–7) and 4 (lines 8–11) described above. The court also finds that exhibits 1, 3, and 4 shall remain under seal.

Entered this 30th day of June, 2025.

Alexandria, Virginia


_____/s/_____
John F. Anderson
~~United States Magistrate Judge~~
John F. Anderson
United States Magistrate Judge